



# Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

## Memorandum

**Date:** February 19, 2015

**To:** Fran L'Heureux, Chair, & Members, Zoning Board of Adjustment

**From:** Jillian M. Harris, AICP, Planning & Zoning Administrator

**Subject:** **Nelson R. Disco Family Trust (petitioner/owner)** – Variance under Section 3.02 of the Zoning Ordinance to permit the construction of a single family home on a lot with 84,927 s.f. whereas 100,000 s.f. is required and 100 ft. of frontage whereas 250 ft. is required. The parcel is located at 38 Wilson Hill Road in the R-1 (Residential) and Aquifer Conservation Districts. Tax Map 4B, Lot 095. Case # 2015-08.

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The following information is provided to aid in your consideration of the above referenced case. Additional background and application materials are included in your packet.

**Background:** The subject property is an 84,927 s.f. parcel located at 38 Wilson Hill Road in the R-1 (Residential) District (by map). The petitioner seeks a variance to permit the construction of a single family home on a lot with 84,927 s.f. whereas 100,000 s.f. is required and 100 ft. of frontage whereas 250 ft. is required. The subject property is the result of two 1 acre lots that were merged from a previous subdivision that was approved before the Zoning Ordinance was changed in 1976 to require 100,000 s. f. lots in this zone. The approved subdivision was never finished, but an existing right of way exists from the property to Wilson Hill Road, which precludes the need for any additional curb cuts for the proposed residential use of the lot.

**Standard of Review:** It is the burden of the Petitioner to demonstrate that the five requirements for the granting of a Variance under Section 3.02 of the Zoning Ordinance have been met to permit the construction of a single family home on a lot with 84,927 s.f. whereas 100,000 s.f. is required and 100 ft. of frontage whereas 250 ft. is required.

cc: Correspondence & Zoning Board File

ec: Nelson R. Disco, Petitioner/Owner  
Carol Miner and Fred Kelley, Building Department